

SEVENTY-SIXTH DAY

(Thursday, June 12, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Setevenson.

The roll was called, and the following Senators were present:

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

A quorum was announced present.

The invocation was offered by Rev. S. B. Culpepper, Chaplain.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Graves.

Senator Winfield was granted leave of absence for today, on account of important business, on motion of Senator Formby.

Senator York was granted leave of absence for today on account of important business, on motion of Senator Vick.

Senate Bill 503 on First Reading

Senator Stone moved that Section 5 of Article 3 of the Constitution be suspended to permit his introducing a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

The following bill then was introduced, read first time and referred to the Committee on Counties and County Boundaries:

By Senator Stone:

S. B. No. 503, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions; and declaring an emergency."

House Concurrent Resolution 225

The President laid before the Senate and had read (the resolution having been received from the House on yesterday):

H. C. R. No. 225, Suspending the joint rules so as to permit the Senate to consider S. B. No. 497 on any House bill day during the remainder of the regular session of the Legislature.

On motion of Senator Chadick and by unanimous consent, the resolution was considered at this time.

The resolution was adopted by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield**Senate Bill 497 on Final Passage**

The President laid before the Senate on its final passage (the bill having been read third time on June 9, 1941):

S. B. No. 497, A bill to be entitled "An Act making sabotage an offense; defining the term sabotage; providing the penalty therefor; providing that the offense of sabotage shall be cumulative with any offense now prohibited by law coming within the term sabotage; and providing the State may elect under which law it will prosecute; providing a period of limitation for the prosecution of the offense of sabotage; providing a savings clause; and declaring an emergency."

Senator Chadick offered the following amendment to the bill:

Amend S. B. No. 497 by striking out all of Section 3 and insert the following:

"Any Act made an offense under the provisions of this Statute which is also in violation of any other Statute, may be prosecuted under either Statute upon the election of the State Attorneys and any Act now denounced by another Statute shall not prohibit prosecution under this statute.

The amendment was adopted unanimously.

Senator Moffett offered the following amendment to the bill:

Amend S. B. No. 497 by adding the words "or Navy" after the words "United States Army" and the word "War" in Section of said bill.

The amendment was adopted unanimously.

Senator Cotten offered the following amendment to the bill:

Amend S. B. No. 497 by adding after the word "war" on page one, the following: Or any railroad or other transportation agency engaged in transporting soldiers, sailors or other military persons engaged in military activities for the United States, or engaged in transporting any material used or to be used by the war department at any time the United States is proclaimed by the President to be in an unlimited emergency or in a state of war.

The amendment was adopted unanimously.

On motion of Senator Chadick and by unanimous consent, the caption was ordered amended to conform to the body of the bill.

The bill was passed by the following vote:

Yeas—26

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Weinert

Absent

Lemens Vick

Absent—Excused

Spears York
Winfield**Message from the House**

A clerk of the House was recognized by the President to present the following message:

Hall of the House of Representatives,
June 12, 1941
Austin, Texas

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 424, A bill to be entitled "An Act creating a special road law for Fisher County, Texas; authorizing the commissioners' court to issue funding or refunding bonds or warrants in lieu of certain outstanding warrants; prescribing the method of issuing the same; making it the duty of the commissioners' court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the General Laws pertaining to roads and bridges applicable to Fisher County, Texas, and providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; repealing all laws in conflict with the provisions hereof; providing that if any

portion of this Act shall be held invalid, such holding shall not affect the other portions hereof; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 459, A bill to be entitled "An Act making an emergency appropriation out of the General Fund of the State for the purpose of printing and mailing supplemental franchise tax forms; making same immediately available; providing for reversion of all unexpended funds on August 31, 1941; and declaring an emergency."

H. B. No. 188, A bill to be entitled "An Act amending Article 198 of the Revised Civil Statutes of the State of Texas, as amended by Acts of the Forty-sixth Legislature, 1939, page 148, Section I, relating to, and designating the Supreme Judicial Districts of the State of Texas, by transferring Brown County from the Third Supreme Judicial District to the Eleventh Supreme Judicial District; providing that this Act shall not affect the jurisdiction of the Court of Civil Appeals for the Third Supreme Judicial District in cases appealed from Brown County, in which the transcript shall have been filed in said court prior to the date this Act takes effect; that in all cases from Brown County in which appeal or writ of error has been perfected, but the transcript not filed in the Court of Civil Appeals for the Third Supreme Judicial District prior to the effective date of this Act, the record of such case or cases shall be filed in the Court of Civil Appeals for the Eleventh Supreme Judicial District of Texas, which shall have jurisdiction; provided further, that in any case from a trial court in Brown County, in which appeal or writ of error may be perfected after the passage of this Act, but before its effective date, if the transcript be filed in the Court of Civil Appeals for either the Third or the Eleventh Supreme Judicial District of Texas within the time otherwise provided by law, such appeal shall not be dismissed for failure to file the transcript in the proper court, but if filed in the wrong court, the clerk thereof shall transmit the record, together with a transcript of any orders made in the case, to the proper court having jurisdiction; and declaring an emergency."

H. B. No. 1081, A bill to be entitled "An Act to prohibit the use of a

seine or net for taking fish in Brown County except a minnow seine not more than twenty (20) feet in length when used for the purpose of taking minnows for bait; prohibiting the use of a seine or net for any purpose in the waters of Lake Brownwood; providing a penalty; repealing all laws in conflict; and declaring an emergency."

H. B. No. 1082, A bill to be entitled "An Act to amend H. B. No. 146, Acts of the Forty-seventh Legislature of Texas, authorizing the Commissioners Court in all counties in the State of Texas to appropriate from the General Fund not more than five-cents (5c) on the One Hundred (\$100) Dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties; and providing for an election authorizing such appropriation and creating and providing for an election authorizing such appropriation and creating and providing for the appointment of a Board of Development devoted to the growth, advertisement, and development of such counties; providing said appropriations to constitute a separate fund to be known as the Board of Development Fund; limiting the amount to be appropriated; prescribing certain duties for said Board; making the Act cumulative of other laws authorizing such counties to appropriate such money; and declaring an emergency."

The House has adopted the Conference Report on H. B. No. 272 by a vote of 75 ayes, 53 noes.

The House having rejected the Conference Committee Report on H. B. No. 963 requests the appointment of a new Conference Committee and appoints the following conferees: Messrs. Manning, Alsup, Allison, Humphrey and Stubbs.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

House Concurrent Resolution 221

On motion of Senator Cotten and by unanimous consent, the regular order of business was suspended, to permit consideration of H. C. R. No. 221 at this time.

The President laid before the Senate:

H. C. R. No. 221, Granting the Highway Department the right to an

easement through property of the State Orphans Home at Corsicana.

The resolution was read.

Senator Cotten offered the following amendment to the bill:

Amend H. C. R. No. 221 by striking out the words "State Highway Department" where they appear in the second line of the resolving clause and insert in lieu thereof the words "The Board of Control of the State of Texas."

The amendment was adopted.

The resolution as amended was adopted.

Senate Resolution 164

Senator Lemens offered the following resolution:

Whereas, The National Organization of the American Legion is cognizant of the crisis existing in the world at this time; and

Whereas, A plan has been evolved by the American Legion to set up an organization known as Boys State for the purpose of sponsoring and developing citizenship throughout the United States; and

Whereas, The Texas Department of the American Legion has adopted Boys State and sponsors it each year in the Capitol City; and

Whereas, the 1941 Session of Boys State is being held this week on The University of Texas Campus; and

Whereas, The members of Boys State represent the youth of cities and towns of the State of Texas; now, therefore be it

Resolved, That the Senate of Texas expresses its appreciation to the members of Boys State for the patriotic spirit they exemplify and to the American Legion for its part in sponsoring this meritorious program; and, be it further

Resolved, That the Senate of Texas extend to the officers of the Texas Boys State the privileges of the floor for the day.

LEMENS,
SHIVERS,
FAIN.

The resolution was adopted unanimously.

Senators Lemens, Shivers and Fain then escorted to the President's desk, where they were presented to the Senate:

Mr. Fred Young, Representative of the American Legion.

Cecil Rix, Lieutenant Governor of Texas Boys State.

Cameron English, Attorney General of Texas Boys State.

Resolution Signed

The President signed in the presence of the Senate, after its captions had been read, the following enrolled resolution:

H. C. R. No. 227, Suspending Joint Rules for purpose of permitting House to take up and consider H. B. No. 161.

Message from the Governor

The President laid before the Senate and had read the following message from the Governor:

Austin, Texas
June 12th, 1941.

To the Members of the Forty-seventh Legislature:

The recent disastrous floods in Shackelford County, causing loss of many lives and damage to property running into millions of dollars, constitute a great public calamity. The citizens of that county are in dire need of financial assistance to repair the damage and provide needed facilities to care for their people.

Without doubt this flood creates a great emergency in that county and I am, therefore, submitting Senate Bill No. 502 by Smith as emergency legislation and urge its immediate passage so that the people in that county may find immediate relief.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

House Bill 1073 on Second Reading

On motion of Senator Van Zandt and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 1073 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1073, A bill to be entitled "An Act to authorize and empower the Board of Insurance Commissioners of the State of Texas to promulgate a comprehensive rating plan for workmen's compensation and motor vehicle insurance in combination with other forms of insurance required or

used in connection with the construction or operation of National Defense projects; authorizing the board to promulgate rules and regulations incident thereto; providing that this Act shall be cumulative of existing laws and applicable only to insurance rates in relation to National Defense projects; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1073 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1073 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

Request for Conference Committee on House Bill 199 Granted

Senator Hill called for the consideration at this time of the motion (made on yesterday) to reconsider the vote by which the Senate refused to grant the request of the House for a Conference Committee on H. B. No. 199.

The motion to reconsider prevailed.

The President then laid before the Senate for further consideration at this time the motion of Senator Moffett to grant the request of the House for a Conference Committee to adjust the differences between the two Houses on the bill.

The motion prevailed.

Bills Tabled

On motion of Senator Van Zandt, S. B. No. 450 was tabled.

On motion of Senator Kelley, S. B. No. 311 and H. B. No. 830 were tabled.

Senate Bill 502 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 502 at this time.

The President laid before the Senate on its second reading and passage to engrossment.

S. B. No. 502, A bill to be entitled "An Act declaring the floods of Shackelford County to be a public calamity; authorizing an adoption and grant to Shackelford County of one half of the State ad valorem taxes collected in Shackelford County for any purpose permitted by and not inconsistent with the Constitution, including the construction of flood control works in said county, and the conservation and utilization of water; specifying the reports thereon to be made by the assessor and collector of taxes; providing that if any provision of this Act shall be held invalid the other provisions shall not be affected; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 502 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 502 be placed on its third reading and final passage.

The motion prepailed by the following vote:

Yeas—25

Aikin	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Weinert
Lovelady	

Nays—1

Beck

Absent

Isbell Vick

Absent—Excused

Spears York
Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Kelley	Sulak
Lanning	Van Zandt
Lovelady	Weinert
Martin	

Nays—3

Beck Lemens
Formby

Absent

Isbell Vick

Absent—Excused

Spears York
Winfield

Message from the Governor

The President laid before the Senate and had read the following message from the Governor:

Austin, Texas,
June 12, 1941.

To the Senate of the Forty-seventh Legislature:

I ask the advice, consent and confirmation of the Senate to the following appointment:

To be a Member of the Game, Fish and Oyster Commission, term to expire September 1, 1945:

T. S. Reed of Beaumont, Jefferson County.

Respectfully submitted,
• W. LEE O'DANIEL,
Governor of Texas.

The message was referred to the Committee on Nominations of the Governor.

Concurrence in House Amendments to Senate Bill 436

Senator Stone called S. B. No. 436 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate.

Senator Stone moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

Senate Resolution 165

Senator Lemens offered the following resolution:

Whereas, Mr. and Mrs. Jake Sewell and Miss Elizabeth Ann Sewell, their daughter, of Midlothian, Texas, and

Miss Artie Blankenship, Austin, Texas, are within the Capitol building; and

Whereas, They are outstanding and distinguished citizens of Ellis County, State of Texas; and

Whereas, They are interested in observing the procedure of legislative work; now, therefore, be it

Resolved, That Mr. and Mrs. Jake Sewell and Miss Elizabeth Ann Sewell and Miss Artie Blankenship be extended the privileges of the floor for the day.

The resolution was read and was adopted.

Reports of Standing Committees

Senator Ramsey, by unanimous consent, submitted at this time the following reports:

Committee Room,
Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, the Committee on Counties and County Boundaries, to whom was referred

S. B. No. 503, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions; and declaring an emergency."

Have had the same under consideration and we wish to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1056, A bill to be entitled "An Act to amend Section 2 of H. B. No. 160, Acts of the First Called Session of the Forty-first Legislature, Chapter 83, page 209, by authorizing any city or county, having a population of not less than fifteen thousand (15,000) and not more than fifteen thousand two hundred and fifty (15,250) to issue its general

obligation bonds or warrants for the purpose of acquiring and improving land for air-port purposes; . . . etc.; and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Senator Weinert, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 831, A bill to be entitled "An Act authorizing cities having a population of one hundred and sixty thousand (160,000) inhabitants or more, according to the last preceding or any future Federal Census, to pass ordinances, criminal and otherwise, under the general police power, to promote and protect the safe and efficient operation of all publicly owned or publicly operated airports, flying fields and landing fields lying within a distance of . . . ; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute hereto attached do pass in lieu thereof, and be not printed.

WEINERT, Chairman.

Senator Kelley, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 1076, A bill to be entitled "An Act authorizing the qualified voters of Hooks Independent School District situated wholly within Bowie County, a district containing not less than fifty-nine (59) square miles in area, and having an assessed property valuation of not less than Three Hundred and Seventy Thousand (\$370,000.00) Dollars to determine whether or not any such district shall levy a tax for maintenance and bond pur-

poses, the maximum of which for both of such purposes shall not exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred (\$1000.0) Dollars valuation in any one year; provided that not more than One (\$1.00) Dollar of said tax shall be voted for bond purposes and not more than fifty (50c) cents shall be voted for maintenance purposes; providing that said tax shall be applicable to independent school district taxes; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Have had the same under consideration, and we desire to report it back to the Senate with the recommendation that it do pass and not be printed.

KELLEY, Chairman.

Senator Moore, by unanimous consent, submitted at this time he following reports:

Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 200, Providing for the appointment of a committee to investigate all phases of child care in the State and to prepare a report to be submitted to the next Regular Session of the Legislature.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Respectfully submitted,
MOORE, Chairman.

Austin, Texas
June 12, 1941

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 209, Granting Heiner B. McPherson of Hill County, Texas, permission to sue the State of Texas.

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with amendment and be not printed.

Respectfully submitted,
MOORE, Chairman.

Senate Committee Room
Austin, Texas
May 14, 1941

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 703, A bill to be entitled "An Act creating the office of County Purchasing Agent in all counties in this State having a population of more than one hundred and two thousand (102,000) inhabitants and less than two hundred thousand (200,000) inhabitants, as shown by the latest United States Census, and any future Federal Census; providing for the appointment of such Agent; etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute hereto attached do pass in lieu of the original bill and be not printed.

MOORE, Chairman.

Message from the Governor

The President laid before the Senate and had read the following message from the Governor:

June 12, 1941

To the Members of the Forty-seventh Legislature:

It is highly important that H. B. No. 454 and H. B. No. 611 be enacted at this session of the Legislature. Both of these bills pertain to Social Security and the Federal Social Security Board at Washington has advised us that unless both of these bills are passed the Federal Social Security contributions may be discontinued.

One of these bills simply changes our present statutes so as to make them conform to the new Federal Social Security statutes that become effective next July 1st. The other bill provides for setting up a merit system in our Social Security Department, and this is essential because Federal money is being used to pay salaries and the Federal government requires that employees be subject to the merit system.

I urge that you give these two bills your immediate attention because Federal contributions to our old age pensions may be cut off unless

these two bills are enacted at this session of the Legislature.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas

Senate Bill 490 with House Amendments

The President laid before the Senate as unfinished business the House amendments to S. B. No. 490, with motion by Senator Aikin to concur in the House amendments and motion by Senator Hill to refuse to concur and ask for a conference committee to adjust the differences between the two Houses on the bill pending.

Pending consideration of the motions President Pro Tempore Cotten occupied the Chair temporarily.

(President in the Chair).

Motion to Recess

Senator Lanning moved that the Senate recess to 7:30 p. m. today. The motion lost.

Question then recurring on the motion of Senator Hill, yeas and nays were demanded. The motion was lost by the following vote:

Yeas—9

Hill	Metcalfe
Lanning	Moffett
Lemens	Moore
Lovelady	Vick
Mauritz	

Nays—19

Aikin	Kelley
Beck	Martin
Brownlee	Ramsey
Chadick	Shivers
Cotten	Smith
Fain	Stone
Formby	Sulak
Graves	Van Zandt
Hazlewood	Weinert
Isbell	

Absent—Excused

Spears	York
Winfield	

Question next recurring on the motion of Senator Aikin to concur in the House amendments, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

Bills Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills:

S. B. No. 424, A bill to be entitled "An Act creating a Special Road Law for Fisher County, Texas; authorizing the commissioners' court to issue funding or refunding bonds or warrants in lieu of certain outstanding warrants; prescribing the method of issuing the same; making it the duty of the commissioners' court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the General Laws pertaining to roads and bridges applicable to Fisher County, Texas, and providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; repealing all laws in conflict with the provisions hereof; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 436, A bill to be entitled "An Act to amend Article 3333 of Title 54 of the Revised Civil Statutes of Texas, Revision of 1925 as amended, by providing that the citation therein provided to be issued by the clerk shall be directed to the sheriff, or any constable of the county where the proceeding is pending, validating written wills heretofore probated and letters of administration heretofore granted upon citations or notices not so directed, but conforming to other requirements of said Article 3333, providing that this amendment shall not apply in certain cases; and declaring an emergency."

S. B. No. 459, A bill to be entitled "An Act making an emergency appropriation out of the General Fund of the State of Texas to the Secretary of State for the purpose of printing and mailing supplemental franchise tax forms; making same immediately available; providing for reversion of all unexpended funds on August 31, 1941; and declaring an emergency."

Motion Withdrawn

Senator Metcalfe withdrew the motion to reconsider the vote by which H. C. R. No. 203 was adopted by the Senate.

House Bill 1066 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 1066 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1066, A bill to be entitled "An Act making an appropriation of the sum of One Hundred and Fifty Thousand (\$150,000) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expense, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend the bill by adding: "There is hereby appropriated to the State Board of Control, out of the General Revenue Fund, the sum of Seven Thousand (\$7,000.00) Dollars for the purchase of fuel, water, lights, and machinery for the Capitol Power Plant. This appropriation shall be available from the effective date of this Act until August 31, 1941;" and amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 1066 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1066 be

placed on its third reading and final passage.

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lemens
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert

Nays—2

Lovelady	Shivers
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Absent—Excused

Spears	York
Winfield	

House Concurrent Resolution 223

The President laid before the Senate and had read (the resolution having been received from the House on yesterday):

H. C. R. No. 223, Providing for recess of the Legislature from June 16, 1941, at one o'clock p. m. until July 14, 1941, at noon, and for adjournment sine die on July 21, 1941, at 12:00 o'clock noon.

Question—Shall the resolution be adopted?

Senator Fain offered the following amendment to the resolution:

Amend H. C. R. No. 223 by striking the words and figures "June 16, 1941" in line 4, and substituting therefor the words and figures "June 21, 1941;" by striking the words and figures "July 14, 1941," in line six, and substituting therefor the words and figures "July 7, 1941;" by striking the words and figures "July 21, 1941," in line 16, and substituting therefor the words and figures "July 14, 1941."

Senator Stone offered the following substitute for the resolution:

Be It Resolved by the Senate of Texas, the House of Representatives concurring, That the Regular Session of the Forty-seventh Legislature stand adjourned sine die at 12:00 o'clock noon, June 19, 1941.

STONE,
HAZLEWOOD,
MARTIN,
BECK,
MOORE,
WEINERT,
LOVELADY,
SMITH,
MOFFETT,
BROWNLEE,
FAIN,
GRAVES,
RAMSEY,
AIKIN.

Senator Fain moved to table the substitute.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—10

Cotten	Lanning
Fain	Mauritz
Formby	Metcalf
Hill	Sulak
Kelley	Vick

Nays—17

Aikin	Moffett
Beck	Moore
Brownlee	Ramsey
Chadick	Shivers
Graves	Smith
Hazlewood	Stone
Lemens	Van Zandt
Lovelady	Weinert
Martin	

Absent

Isbell

Absent—Excused

Spears	York
Winfield	

Question then recurring on the substitute for the resolution, it was adopted.

The resolution as substituted then was adopted by the following vote:

Yeas—19

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Lemens	Van Zandt
Lovelady	Weinert
Martin	

Nays—8

Cotten	Lanning
Fain	Mauritz
Hill	Sulak
Kelley	Vick

Absent

Isbell

Absent—Excused

Spears	York
Winfield	

Recess

On motion of Senator Lanning, the Senate at 1:35 o'clock p. m., took recess to 7:30 o'clock p. m. today.

Night Session

The Senate met at 7:30 o'clock p. m. to consider local and uncontested bills pursuant to S. R. No. 63 and was called to order by the President.

Message from the House

A clerk of the House was recognized by the President to present the following message.

Hall of the House of Representatives,
Austin, Texas
June 12, 1941

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. B. No. 429, A bill to be entitled "An Act relating to marks and brands of livestock in Victoria County only; amending Article 6899 of the Revised

Civil Statutes of Texas, by adding thereto a new Section to be known as Article 6899d requiring that in said county each owner of any livestock mentioned in Chapter 1, of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect, have his mark and brand for such stock recorded at the office of the county clerk of said county; and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands in said county; and further providing that the county clerk of said county shall publish this Act in some newspaper in general circulation in the county for a period of thirty (30) days; and declaring an emergency."

S. B. No. 476, A bill to be entitled "An Act transferring to the State Highway Fund all unexpended and unobligated balances of appropriations made to the Department of Public Safety for use in paying salaries and other costs of operating the Certificate of Title Division of the Department of Public Safety for the use of the Highway Department in paying salaries and all other costs of operating the Certificate of Title Division of the State Highway Department; making an appropriation of \$15,000 out of the General Revenue Fund in the State Treasury to the State Highway Department for its use in paying any salaries and other expenses necessary to carry out the provisions of H. B. No. 205 passed at the Regular Session of the Forty-seventh Legislature; providing that any amounts expended by the State Highway Department from the appropriation of \$15,000 herein made from the General Revenue Fund shall be repaid by the State Highway Department to the General Revenue Fund from Certificate of Title fees received by the Highway Department during the biennium ending August 31, 1943, and making an appropriation for such purpose; providing that in no event shall salaries paid from the appropriation herein made be in

excess of the amounts paid for the same or similar positions in any Department of the State Government; and declaring an emergency.'

S. B. No. 486, A bill to be entitled "An Act amending Section 1, of Chapter 196, General Laws, Forty-third Legislature, Regular Session, by adding thereto a subsection to follow subsection (5), and to be known as subsection (6), providing that Federal employees stationed within this State by assignment to duty, shall be permitted to enroll their children in State institutions of higher learning at the rate of tuition provided for residents of the State, without regard to the length of time said Federal employees have been stationed within the State; and declaring an emergency.'

As amended.

S. B. No. 502, A bill to be entitled "An Act declaring the floods of Shackelford County to be a public calamity; authorizing an adoption and grant to Shackelford County of one half of the State ad valorem taxes collected in Shackelford County for an purpose permitted by and not inconsistent with the Constitution, including the construction of flood control works in said county, and the conservation and utilization of water; specifying the reports thereon to be made by the assessor and collector of taxes; providing that if any provision of this Act shall be held invalid the other provisions shall not be affected; and declaring an emergency."

H. C. R. No. 231, Suspending Constitutional Rule on S. B. No. 221.

H. C. R. No. 232, Providing for changes to be made in the appropriation for Prairie View Normal and Industrial College.

H. C. R. No. 237, Granting each House permission to adjourn from Thursday, June 12, 1941, to Monday, June 16, 1941.

H. C. R. No. 238, Authorizing the recall of H. B. No. 971 from the Governor's office.

H. B. No. 161, A bill to be entitled "An Act to amend subdivision 90 of Article 199 of the Revised Statutes of the State of Texas, 1925, so as to change the time and terms of holding the terms of the District

Court of Stephens County, providing that Stephens and Young Counties shall constitute the 90th Judicial District, fixing the terms and time for holding court in Stephens and Young Counties, prescribing the powers and duties of the 90th District Court, and providing for the transfer of cases from the 30th Judicial District Court to the 90th Judicial District of Young County, and from the 90th District Court in Young County to the 30th District Court in Young County, providing for District Clerks in Stephens and Young Counties, and their successors in office to be clerks of said 30th District Court and 90th District Court in their respective counties, validating all processes, bonds and writs issued and served before the taking effect of this Act, including recognizances and bonds, and making them returnable to the next terms of court in said counties and district fixed herein, to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under the Act, providing that if any section of this Act be held unconstitutional or invalid for any reason the same shall not impair or affect the remaining sections or provisions; and declaring an emergency."

The House has concurred in Senate amendments to H. C. R. No. 221 by a vote of 108 yeas, 1 no.

The House has concurred in Senate amendments to H. B. No. 1066 by a vote of 114 yeas, 13 noes.

The House refused to concur Senate amendments to H. C. R. No. 223 and has requested the appointment of a conference committee to consider the differences between the two houses and appoints: Taylor, Kennedy, Morse, Carlton, Crosthwait.

The House has defeated the following bill by striking out the enacting clause:

S. B. No. 431, A bill to be entitled "An Act relating to face-amount certificate companies and face-amount certificates as those terms are defined in the Act of Congress known as the Investment Company Act of 1940; and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Conference Committee on House Bill 670

Senator Beck called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 670.

Senator Beck moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Beck, Moore, Ramsey, Weinert and Metcalfe.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

S. B. No. 490, A bill to be entitled "An Act to amend Section 4 of Article XVIII of H. B. No. 8, Acts of the Forty-seventh Legislature, Regular Session, to provide for the allocation of funds collected under Article XVIII of H. B. No. 8, Acts of the Forty-seventh Legislature, Regular Session, and to provide for the transfer and allocation of revenue previously collected and now held in suspense by the Insurance Commission, preparatory to distribution to certain funds; amending Section 2, Article XX of H. B. No. 8, Acts of the Forty-seventh Legislature, Regular Session, providing for the allocation and transfer of certain funds; providing for One Million Seven Hundred Fifty Thousand (\$1,750,000.00) Dollars for old age assistance for each month of the fiscal year ending August 31, 1941 and appropriating, transferring and crediting to the Old Age Assistance Fund One Million Seven Hundred Fifty Thousand (\$1,750,000.00) Dollars monthly; providing for the transfer, allocation, appropriation and crediting of funds ordinarily allocated to the General Revenue Fund for old age assistance; and declaring an emergency."

S. B. No. 502, A bill to be entitled "An Act declaring the floods of Shackelford County to be a public calamity; authorizing an adoption and grant to Shackelford County of one half of the State ad valorem taxes collected in Shackelford County for any purpose permitted by and not inconsistent with the Constitution, including the construction of flood con-

trol works in said county, and the conservation and utilization of water; specifying the reports thereon to be made by the assessor and collector of taxes; providing that if any provision of this Act shall be held invalid the other provisions shall not be affected; and declaring an emergency."

H. B. No. 1066, A bill to be entitled "An Act making an appropriation of the sum of One Hundred and Fifty Thousand (\$150,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expense, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

H. B. No. 1073, A bill to be entitled "An Act to authorize and empower the Board of Insurance Commissioners of the State of Texas to promulgate a comprehensive rating plan for workmen's compensation and motor vehicle insurance in combination with other forms of insurance required or used in connection with the construction or operation of National Defense projects; authorizing the board to promulgate rules and regulations incident thereto; providing that this Act shall be cumulative of existing laws and applicable only to insurance rates in relation to National Defense projects; and declaring an emergency."

H. C. R. No. 203, Providing for suspension of the Joint Rules to permit the Senate to consider S. B. No. 268 on House Bill days.

H. C. R. No. 221, Granting the Highway Department the right to an easement through property of the State Orphans Home at Corsicana.

H. C. R. No. 225, Suspending Joint Rules to permit Senate to consider S. B. No. 497 on any House Bill day.

Senate Bill 500 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 500, A bill to be entitled "An Act amending Chapter 82 of the Acts of the Forty-first Legislature at its regular session entitled 'An Act granting to cities located in any county in this State of less than one hundred thousand (100,000) inhabitants according to the last United

States Census, and which county contains a city of more than forty-three thousand (43,000) inhabitants according to said census, the right to execute leases not to exceed a period of ninety-nine (99) years on islands, flats and other submerged lands heretofore granted by the State of Texas, or the Republic of Texas to such cities and providing that no provision shall ever be incorporated in any such lease restricting the right of the lessee to construct, establish, maintain, equip and operate docks, wharves, ferries, ferry landings, loading and unloading devices and shipping facilities and to demand and receive compensation for services furnished for private purposes or otherwise, and that every such lease shall specify the purpose for which the same is made and provide a maximum period of five years within which the lessee shall exercise the rights and privileges granted and reserving portions of any such island, flats or other submerged lands abutting and extending for a distance of two thousand (2,000) feet along existing navigable channels and extending back from said channel fifteen hundred (1,500) feet from the point of mean low tide; and declaring an emergency.' approved March 5, 1929; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 500 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 500 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas--28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 788 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 788, A bill to be entitled "An Act applicable to the County of Coke, State of Texas, prohibiting the transportation of minnows taken in said county beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the borders of said county; prohibiting the use of trot-lines or throw lines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said county, with certain exceptions; providing legal length of catfish in said county; providing the daily bag limit of catfish; providing penalties for any violation of this Act; and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendments to the bill:

(1)

Amend H. B. No. 788 by striking out the word "county" wherever it occurs and substitute therefor the word "counties" and by adding after the word "Coke" wherever it occurs the words "Irion and Sterling."

(2)

Amend H. B. No. 788 by adding after Section 7 a new section to be numbered Section 8, and reading as follows:

"Section 8. The provisions of this Act shall expire June 1, 1943."

And re-number the subsequent section to conform.

(3)

Amend H. B. No. 788, Section 4, by striking out the words and figures "May 15th" and substitute therefor the words and figures "April 30th," and by striking out of said Section the words, "white bass."

The amendments were adopted severally.

On motion of Senator Metcalfe and by unanimous consent the caption of the bill was ordered amended to conform to the body of the bill.

The bill was passed to third reading.

House Bill 788 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 788 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 891 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 891, A bill to be entitled "An Act to validate, ratify, approve and confirm the Acts of all housing authorities created by and organized pursuant to the 'Housing Authorities Law' of the State of Texas, and which are located in any county in Texas having a population of not less than ninety thousand (90,000), and not more than one hundred thousand (100,000) according to the last preceding Federal Census, in undertaking the development and administration of housing projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities, who would not otherwise be able to secure such dwellings within the vicinity thereof; and to validate, ratify, approve, conform and declare enforceable all bonds, notes and obligations of such housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 891 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 891 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 918 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 918, A bill to be entitled "An Act applicable to all counties in this State having a population of not less than fifty thousand, nine hundred and fifty, nor more than fifty-one thousand, one hundred, in all counties having a population of not less than thirty-four thousand, nor more than thirty-five thousand, etc.; and declaring an emergency."

The bill was read second time.

Senator Ramsey offered the following amendment to the bill:

Amend H. B. No. 918, page 2, Section 1, by striking "in all counties having a population of not less than ten thousand seven hundred and seventy-five (10,775), nor more than ten thousand, nine hundred (10,900)."

The amendment was adopted.

The bill was passed to third reading.

House Bill 918 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 918 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 933 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 933, A bill to be entitled "An Act to prohibit the use in Fort Phantom Hill Lake of Jones and Taylor Counties of certain devices for catching fish; to limit the size and number of fish to be caught; to prohibit the taking of any fresh water fish during the months of February, March or April, to prohibit the taking of any catfish during the months of March, April, May and June; to regulate the taking of minnows; providing a penalty; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 933 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 933 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 936 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 936, A bill to be entitled "An Act providing that it shall be lawful in Cass County, Texas, for any person to kill, take, or have in his possession for barter or sale any wild fox or the pelts thereof from December 1 to December 31, inclusive, of any year; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 936 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 936 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 980 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 980, A bill to be entitled "An Act to amend Article 880 of the Penal Code of the State of Texas, as amended by Chapter 47, Acts of the Second Called Session of the Forty-fifth Legislature; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 980 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 980 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Chadick	Martin
Cotten	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone

Sulak	Vick
Van Zandt	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 417 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 417, A bill to be entitled "An Act amending Article 190a, Revised Civil Statutes, by adding Childress County to the list of counties named herein; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 417 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 417 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Formby
Beck	Graves
Brownlee	Hazlewood
Chadick	Hill
Cotten	Isbell
Fain	Kelley

Lanning	Ramsey
Lemens	Shivers
Lovelady	Smith
Martin	Stone
Mauritz	Sulak
Metcalfe	Van Zandt
Moffett	Vick
Moore	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1046 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1046, A bill to be entitled "An Act to amend Section 1 of H. B. No. 808 of the Regular Session of the Forty-second Legislature, Chapter 69, Special Laws, page 157, as amended by H. B. No. 327 of the Regular Session of the Forty-third Legislature, Chapter 34, Special Laws, page 42; providing for the taking of catfish, perch, buffalo and drum in the waters of Delta, Hopkins, and Franklin Counties, by hand or with a seine or net having meshes one (1) inch square; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1046 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1046 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1057 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1057, A bill to be entitled "An Act providing (1) an open sea-

son for quail in Cherokee County from December 1 in one year to January 16 in the following year, both days inclusive; (2) that it shall be lawful to kill quail in Cherokee County on Monday, Wednesday and Friday of each week, after the 1st day of December 1941, and continuing until and including the 16th day of January, 1942, and during the same time each year thereafter on the same days of the week; that twelve (12) quail shall be the limit which any one person may kill in any one day during this period; (3) that quail may be hunted and killed in Cherokee County only on Sundays and Wednesdays during the period from December 1 of one year to January 16th of the following year, both days inclusive; (4) that it shall be unlawful to take, kill, or attempt to take or kill quail in Cherokee County; providing that no Section of this Act shall be effective in Cherokee County unless and until the qualified voters of the county, by a majority vote at an election held for such purposes, shall have voted therefor; providing that only one section of this Act shall be submitted at any one time for ratification; providing the manner of calling and holding such election; providing for the posting of returns of such elections, describing the length of time which must intervene before a second election may be held on the same matter; providing that the cost of such election shall be borne by the petitioners asking for such election; describing violations of this Act and prescribing penalties therefor; limiting the effect of this Act to Cherokee County, and repealing all laws or parts of laws in conflict herewith, insofar as they apply to Cherokee; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1057 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1057 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1038 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1038, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Upshur and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

Senator Chadick offered the following amendment to the bill:

Amend H. B. No. 1038 by adding following the word "Upshur" when it appears the first time in Section

one thereof the following: "East of State Highway 154 in such county."

Amend the caption accordingly.

The amendment was adopted.

The bill was passed to third reading.

House Bill 1038 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1038 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1060 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1060, A bill to be entitled "An Act creating Road District No. 6 of Tyler County, Texas, under authority of Article 3, Section 52, of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof; making it a body corporate and taxing district; describing said district by metes and bounds; reciting that it comprises a portion of the territory or road district No. 2, of said County which has outstanding road bonds, and declaring that it is not intended by the creation of Road District No. 6 to interfere in any manner with the functioning of said Road District No. 2; providing that such road district shall have authority to issue bonds for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof and levy ad valorem taxes in payment thereof, as contemplated by Article 3, Section 52 of the Constitution of Texas, when authorized by two-thirds majority vote of the duly qualified resident property tax-paying voters of said district; providing that such road district shall be governed in the matter of issuing bonds and levying ad valorem taxes in payment thereof as provided by the General Laws of Texas, and particularly Chapter 16 of the General Laws enacted by the Thirty-ninth Legislature at its First Called Session, in 1926, and amendments thereto; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1060 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1060 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moffett
Hill	Moore
Isbell	Ramsey
Kelley	Shivers
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalf	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1050 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1050, A bill to be entitled "An Act to amend Section 1 of H. B. No. 738 of the Thirty-fifth Legislature, Chapter 76, Acts 1917, Special Laws, page 295, so as to change the name of the 'Remlig County Line Independent School District' to 'Brookeland and Independent School District'; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1050 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1050 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1036 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1036, A bill to be entitled "An Act validating all consolidated rural high school districts having a scholastic population of not less than 250 and not more than 700 according to the last preceding scholastic enumeration, and located in counties having a population of not less than thirty-one thousand one hundred and twenty (31,120) and not more than

thirty-one thousand one hundred and thirty (31,130) inhabitants according to the last preceding Federal Census, created by an act of the County Board of Trustees out of a district or districts which had heretofore been a consolidated school district or districts; validating all elections, the levying of taxes, bond issues and taxes levied therefor and all bonds voted but not issued; providing that this Act shall not apply to any district now involved in tax litigation and declaring an emergency."

The bill was read second time.

Senator Fain offered the following amendment to the bill:

Amend H. B. No. 1036, Section 1, lines 4 and 5 of the engrossed bill, to read as follows:

"thousand, one hundred and thirty (31,130) and not more than thirty-one thousand, one hundred and forty-five (31,145) inhabitants, accord—"

Amend caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 1036 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1036 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 689 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 689, A bill to be entitled "An Act amending H. B. No. 920, of the General and Special Laws of the Forty-third Regular Session of the Legislature, making it lawful to take fur bearing animals by trap in San Augustine and Sabine Counties."

The bill was read second time and was passed to third reading.

House Bill 689 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 689 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 995 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 995, A bill to be entitled "An Act to declare a closed season on the killing of wild deer and wild turkey in Throckmorton, Shackelford and Haskell Counties for a period ending February 1, 1946; prescribing a penalty therefor; repealing H. B. No. 198 of the Forty-seventh Legislature; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 995 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 995 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moffett
Hill	Moore
Isbell	Ramsey
Kelley	Shivers
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalf	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1069 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1069, A bill to be entitled "An Act prescribing the time of meeting of the county board of school trustees in counties containing a population of not less than forty-eight thousand and eight hundred (48,800) and not more than fifty thousand and four hundred (50,400) inhabitants according to the last preceding Federal Census, the meeting place of said board, the compensation to be paid each county school trustee, and the fund out of which said compensation shall be paid; providing that this Act shall be cumulative of all existing laws on this subject when not in conflict and when in conflict the provisions of this Act shall control;

repealing all laws in conflict; and declaring and emergency."

The bill was read second time and passed to third reading.

House Bill 1069 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1069 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1045 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1045, A bill to be entitled "An Act providing that it shall be unlawful to buy or sell any fish caught in Possum Kingdom Lake, located in Stephens, Palo Pinto and Young Counties or in any of the back waters; any person found guilty of this Act shall be fined not less than Five (\$5.00) Dollars nor more than One Hundred (\$100.00) Dollars; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1045 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1045 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Graves
Beck	Hazlewood
Brownlee	Hill
Chadick	Isbell
Cotten	Kelley
Fain	Lanning
Formby	Lemens

Lovelady	Shivers
Martin	Smith
Mauritz	Stone
Metcalf	Sulak
Moffett	Van Zandt
Moore	Vick
Ramsey	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1079 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1079, A bill to be entitled "An Act providing that the commissioners' courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, shall compute and fix the maximum annual salary to be paid an officer named in Section 13, of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officer's salary was based upon population under the laws existing on August 24, 1935, on the basis of the population of said county, according to the last preceding Federal Census; provided that the commissioners' courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1079 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1079 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moffett
Hill	Moore
Isbell	Ramsey
Kelley	Shivers
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalfe	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Weinert
Lemens	

Nays—1

Vick

Absent—Excused

Spears	York
Winfield	

House Bill 1080 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1080, A bill to be entitled "An Act providing that all counties within this State, having a population of not less than eighty thousand (80,000) inhabitants nor more than two hundred twenty-five thousand (225,000) inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, may, upon an order being made by their commissioners' courts for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to

said courts all necessary power and authority to make this Act effective; providing that said Act shall be cumulative; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1080 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1080 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1034 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1034, A bill to be entitled "An Act authorizing the commissioners' courts of Yoakum County to improve and maintain public roads and highways heretofore laid out or constructed, and to construct public roads and highways hereafter laid out by the county, whether such public roads or highways are inside or outside of any incorporated city or town in such county; authorizing the issuance of time warrants for such purposes; declaring that this Act shall be cumulative of all laws when not in conflict therewith, but in case of conflict this Act shall control; providing a saving clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1034 on Third Reading

Senator Formby moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1034 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 501 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 501, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the Counties of Tom Green, Irion, Sterling, Reagan, and Glasscock for a period of five (5) years; prescribing penalty for the violation of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 501 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 501 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 703 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 703, A bill to be entitled "An Act creating the office of County Purchasing Agent in all counties in this State, having a population of more than 90,000 inhabitants and less than 200,000 inhabitants, as shown by the latest United States census, and any future census, providing for the appointment of such agent, prescribing his duties and fixing his compensation, prescribing the procedure for bids, prescribing a penalty for the violation of this Act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Senator Shivers offered the following (committee) amendment to the bill:

Amend H. B. 703 by striking out the words and figures "one hundred and two thousand (102,000)" wherever they appear in said bill and insert in lieu thereof the words "one hundred and seven thousand (107,000)."

The amendment was adopted.

Senator Shivers offered the following amendment to the bill:

Amend H. B. No. 703 by striking out the second sentence of Sec-

tion 1 and substitute in lieu thereof the following:

"The County Purchasing Agent of any county affected by this Act shall hold office until Jan. 5, 1943 and thereafter the County Purchasing Agent shall hold office for a term of two years unless removed for cause."

The amendment was adopted.

The bill was passed to third reading.

House Bill 703 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

House Bill 1054 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1054, A bill to be entitled "An Act amending Section 19 (f) of Article 3912e, also known as Section 19 (f) of Acts of the Second Called Session of the Forty-fourth Legislature, Chapter 465, page 1762, by adding thereto a new Section, to be known as Section 19 (f-1) of Article 3912e, to make adequate provision for the employment and compensation of assistants and employees by the District Attorney or Criminal District Attorney in any county having a population of not less than three hundred twenty-five thousand (325,000) nor more than five hundred thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and providing further for the employment and compensation of certain additional assistants and employees by the District Attorney or Criminal District Attorney, by and with the advice and consent of the commissioners' court in any county having a population of not less than three hundred twenty-five thousand (325,000) nor more than five hundred thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1054 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1054 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hazlewood
Beck	Hill
Brownlee	Isbell
Chadick	Kelley
Cotten	Lanning
Fain	Lemens
Formby	Lovelady
Graves	Martin

Mauritz	Smith
Metcalf	Stone
Moffett	Sulak
Moore	Van Zandt
Ramsey	Vick
Shivers	Weinert

Absent—Excused

Spears York
Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

House Bill 1070 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1070, A bill to be entitled "An Act providing that it shall be lawful to kill quail in Van Zandt County only on Monday, Wednesday, and Saturday of each week after the first day of December, 1941, and continuing until and including the 16th day of January 1942, and during the same time for each year thereafter on the same days of the week; providing the number of quail that can be killed on any one day; prescribing violations of this Act and providing the penalties therefor; repealing all laws in conflict herewith and expressly repealing H. B. No. 949, Regular Session of the Forty-seventh Legislature; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1070 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1070 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1076 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1076, A bill to be entitled "An Act authorizing the qualified voters of Hooks Independent School

District situated wholly within Bowie County, a district containing not less than fifty-nine square miles in area, and having an assessed property valuation of not less than Three Hundred Seventy Thousand (\$370,000.00) Dollars, to determine whether or not any such district shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed One and 50/100 (\$1.50) Dollars on the One Hundred (\$100.00) Dollars valuation in any one year; provided that not more than One (\$1.00) Dollar of said tax shall be voted for bond purposes and not more than fifty cents (50c) shall be voted for maintenance purposes; providing that said tax shall be authorized, levied, assessed and collected under provisions of the law applicable to independent school district taxes; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1076 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1076 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Concurrent Resolution 96

The President laid before the Senate for consideration at this time:

H. C. R. No. 96, Authorizing the State Highway Department of Texas to lend to the City of Mineral Wells sufficient quantities of discarded wire to protect the fish life of Lake Mineral Wells.

The resolution was read.

The resolution was adopted.

House Concurrent Resolution 224

The President laid before the Senate:

H. C. R. No. 224, Authorizing the State Highway Department to loan guard wire to Washington County.

The resolution was read.

The resolution was adopted.

Senate Bill 130 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 130, A bill to be entitled "An Act amending Article 183 of the Code of Criminal Procedure of the State of Texas of 1925, providing that the time during which an indictment, information, or complaint has been pending shall not be computed in the period of limitation; defining certain terms, repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 130 on Third Reading

Senator Hazlewood moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 130 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

Senate Bill 290 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 290, A bill to be entitled "An Act amending Article 6194 Revised Civil Statutes of 1925, as

amended by Chapter 212, 'Section 23, Commutation and Forfeiture,' Acts of the Regular Session of the Fortieth Legislature, 1927, General Laws fixing the commutation of time for good conduct for prisoners in the Texas Prison System; and defining a month in calendar days and commutation credits, and further defining term under which convicts serving two or more sentences shall be allowed commutation so that they shall not be allowed commutation on each separate sentence apart from the others, and further defining the application of this Act to convicts who escape and return voluntarily and to convicts who escape and are captured, and limiting the powers of the general manager of the Texas Prison System in restoring forfeited credits, and exceptions thereto, and fixing the date when this Act shall become effective; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 290 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 290 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

Senate Bill 360 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 360, A bill to be entitled "An Act amending Article 2960, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are 40% disabled; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 360 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 360 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

Senate Bill 361 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 361, A bill to be entitled "An Act amending Article 2959, Revised Civil Statutes of Texas, 1925, so as to include disabled veterans of foreign wars who are 40% disabled; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 361 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 361 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

Senate Bill 416 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 416, A bill to be entitled "An Act to amend Section 7, Article 3266, of the Revised Civil Statutes of 1925; so as to provide for the recording of the decision of commissioners in eminent domain proceedings in the minutes of the county court, and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 416 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 416 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moffett
Hill	Moore
Isbell	Ramsey
Kelley	Shivers
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalf	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

Senate Bill 464 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 464, A bill to be entitled "An Act amending Article 4549, Chapter 9 of Title 71 of the Revised Civil Statutes of the State of Texas as amended; providing for notice and hearing before revocation or suspension of licenses; clarifying certain language; changing the word 'preceeding' to 'this,' setting out the type of notice and hearing herein provided for; providing for the repeal of all laws and parts of laws in conflict with this Act, providing that if any Section, clause or provisions of this Act be held unconstitutional or invalid, it shall not affect the remaining portions; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 464 on Third Reading

Senator Fain moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 464 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Concurrent Resolution 238

The President laid before the Senate and had read (the resolution having been received from the House previously):

H. C. R. No. 238, recalling H. B. No. 971 from the Governor.

On motion of Senator Weinert and by unanimous consent, the resolution was considered and adopted at this time.

Senate Joint Resolution 21

The President laid before the Senate on its second reading and passage to engrossment.

S. J. R. No. 21, Proposing an amendment to the Constitution of the State of Texas authorizing the Legislature to appropriate Seventy-five Thousand (\$75,000.00) Dollars or so much thereof as may be necessary to pay claims incurred by John Tarleton Agricultural College for the construction of a building on the campus of such college pursuant to deficiency authorization by the Governor of Texas on August 31st, 1937.

The resolution was read second time.

Senator Lovelady moved that the Senate rule requiring joint resolutions to be read on three several days be suspended and that S. J. R. No. 21 be placed on final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	

Nays—1

Beck

Absent—Excused

Snears	York
Winfield	

The President then laid the resolution before the Senate on its final passage.

The resolution was passed by the following vote:

Yeas—27

Aikin	Chadick
Brownlee	Cotten

Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	

Nays—1

Beck

Absent—Excused

Spears	York
Winfield	

Senate Concurrent Resolution 47

The President laid before the Senate:

S. C. R. No. 47, Authorizing lease of certain State land to City of Austin.

The resolution was read.

The resolution was adopted.

Senate Concurrent Resolution 72

The President laid before the Senate:

S. C. R. No. 72, Authorizing A. T. Mast and H. R. Mast to sue the State.

The resolution was read.

Senator Ramsey offered the following amendment to the resolution:

Amend S. C. R. No. 72 by substituting a period for the comma after the word "appeal" in the last paragraph and by striking out the following words from said last paragraph: "and if final judgment is rendered against the State of Texas and the State Highway Department, or either of them, the State Highway Commission is hereby authorized and empowered to pay same out of State Highway Funds, and there is hereby appropriated a sufficient amount to pay said final judgment, if any, which might be recovered by the said A. T. Mast and H. R. Mast."

The amendment was adopted.

The resolution as amended was adopted.

Senate Concurrent Resolution 71

The President laid before the Senate:

S. C. R. No. 71, Authorizing A. T. Mast to sue the State.

The resolution was read.

Senator Ramsey offered the following amendment to the resolution:

Amend S. C. R. No. 71 by substituting a period for the comma after the word "appeal" in the last paragraph and by striking out the following words from said last paragraph:

"and if final judgment is rendered against the State of Texas and the State Highway Department, or either of them, the State Highway Commission is hereby authorized and empowered to pay same out of State Highway Funds, and there is hereby appropriated a sufficient amount to pay said final judgment, if any, which might be recovered by the said A. T. Mast."

The amendment was adopted.

The resolution as amended was adopted.

House Bill 974 on Third Reading

The President laid before the Senate on its third reading and final passage:

H. B. No. 974, A bill to be entitled "An Act to amend Section 18, Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended by Section 2 of H. B. No. 614, Acts of the Regular Session of the Forty-sixth Legislature, to provide that any citizen of Texas wishing to file the record of any birth, not previously registered, may submit such record to the probate court in the county where such person resides rather than where the birth occurred, as now required; and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Chadick	Lemens
Cotten	Lovelady
Fain	Martin
Formby	Mauritz
Graves	Metcalf
Hazlewood	Moffett
Hill	Moore

Ramsey
Shivers
Smith
Stone

Sulak
Van Zandt
Vick
Weinert

Absent—Excused

Spears
Winfield

York

House Bill 51 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 51, A bill to be entitled "An Act to amend Article 4766 Revised Civil Statutes of 1925 as amended by Acts of 1937, Forty-fifth Legislature, page 419, Chapter 214, Section 1, so as to provide that the term 'Texas Securities' as used in Title 78, Chapter 4, of the Revised Statutes of 1925 shall include promissory notes and other obligations, payment of which is secured by a mortgage, deed of trust or other valid lien upon unencumbered real estate situated in the State of Texas, the title to which real estate is valid and the market value of which is forty (40%) per cent more than the amount loaned thereon, and also to include first liens upon leasehold estate in real property and improvements thereon, the title to which is valid and the leasehold on which has not less than thirty (30) years to run before expiration, provided that the duration of any loan upon such a leasehold estate shall not exceed a period of ten (10) years; and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 51 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hazlewood
Beck	Hill
Brownlee	Isbell
Chadick	Kelley
Cotten	Lanning
Fain	Lemens
Formby	Lovelady
Graves	Martin

Mauritz	Smith
Metcalfe	Stone
Moffett	Sulak
Moore	Van Zandt
Ramsey	Vick
Shivers	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 741 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 741, A bill to be entitled "An Act defining the word person and providing that every director, officer, agent, employee or member of any firm, copartnership, association or corporation, participating in, aiding or authorizing any violation of this Act shall be subject to the punishment provided herein; making it unlawful for any person, with exceptions to open and refill or reuse the container, can, tank, pump, or other distributing device of any manufacturer, processor or distributor, for the purpose of offering for sale or selling lubricating oils, greases and similar products therefrom when said container, can, tank, pump or distributing device bears the trade-mark, symbol, sign or other distinguishing mark of said manufacturer, processor or distrib-

utor, or of his products; providing that the possession of any refilled container, can, tank, pump or distributing device shall be prima facie evidence of possession thereof for the purpose of sale; making it unlawful to imitate the design, symbol, or trade name of recognized brands of lubricating oils, greases or similar products or to expose for sale or sell and such products under any trade-mark, trade name or other distinguishing mark, other than those of the manufacturer, processor or distributor of such products; providing for the enforcement of the provisions herein; prescribing penalties; and declaring an emergency."

The bill was read second time.

Senator Brownlee offered the following amendment to the bill:

Amend H. B. No. 741 by striking out all of Section 8 and renumbering the succeeding Sections to conform and by amending the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 741 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 741 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 64 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 64, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts rural high school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees; providing this Act shall not validate the organization or creation of any district, or consolidation or annexation of any district in or to such district where the same is now involved in litigation or where suit or litigation is filed with reference thereto within forty-five (45) days after the effective date of this Act; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating bond assumption elections and all bonds voted, authorized and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect

the same rate heretofore authorized or attempted to be authorized by any act or acts of said districts or by any Act of the Legislature; making certain exemptions; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 64 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 64 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 370 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 370, A bill to be entitled "An Act authorizing the sale of all United States Treasury Bonds held for the account of the Permanent School Fund at September 1, 1940; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 370 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 370 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Hill
Beck	Isbell
Brownlee	Kelley
Chadick	Lanning
Cotten	Lemens
Fain	Lovelady
Formby	Martin
Graves	Mauritz
Hazlewood	Metcalf

Moffett
Moore
Ramsey
Shivers
Smith

Stone
Sulak
Van Zandt
Vick
Weinert

Absent—Excused

Spears
Winfield

York

House Bill 931 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 931, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Angelina and Tyler Counties any wild fox or the pelts thereof, providing that this law shall be enforced for a period of two (2) years; providing various exemptions and exceptions; prescribing a penalty for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

The bill was read second time.

Senator Ramsey offered the following amendment to the bill:

Amend H. B. No. 931 Section 1, by striking the following: "—; providing this Act shall apply to Angelina, Tyler, Newton, Jasper, Sabine and San Augustine Counties only;" and inserting in lieu thereof the following: "providing this Act shall apply to Angelina, Tyler, Newton and Jasper Counties only;" amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 931 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 931 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moffett
Hill	Moore
Isbell	Ramsey
Kelley	Shivers
Lanning	Smith
Lemens	Stone
Lovelady	Sulak
Martin	Van Zandt
Mauritz	Vick
Metcalfe	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 862 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 862, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas for current expenses, for support of public free schools and for interest and sinking funds to pay bonded obligations heretofore authorized by the electorate, which levies are void and unenforceable because the governing bodies of such cities and towns failed to make such levies by formal ordinance or made the levies prior to final approval of the annual budget, or because the levies were made and adopted without the tax rolls being actually be-

fore such governing bodies, and making all such levies enforceable under this Act as though adopted originally by ordinance in strict compliance with all requirements of law; provided this Act shall not apply to levies the validity of which has been attacked by litigation pending in court on effective date of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 862 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 862 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Chadick	Martin
Cotten	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone

Sulak Vick
Van Zandt Weinert

Absent—Excused

Spears York
Winfield

House Bill 663 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 663, A bill to be entitled "An Act to amend an Act for the promotion, protection, and development of the commercial potato growing industry of Texas, same being S. B. No. 158 of the Acts of the Second Called Session of the Forty-first Legislature, and being Article 117A of Title 4, Chapter 6, Vernon's Annotated Statutes of Texas, 1925, by amending Section 3 of said Act to make the provisions thereof applicable to 'commercial quantities' of potatoes and defining the term 'commercial quantities' as used therein; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 663 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 663 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

House Bill 543 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 543 A bill to be entitled "An Act authorizing the State Forester to designate certain of his employees as peace officers; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 543 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 543 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

House Bill 537 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 537, A bill to be entitled "An Act amending Article 779 of the Revised Statutes; providing for the investment of county and road district sinking funds; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 537 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 537 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Graves
Beck	Hazlewood
Brownlee	Hill
Chadick	Isbell
Cotten	Kelley
Fain	Lanning
Formby	Lemens

Lovelady
Martin
Mauritz
Metcalf
Moffett
Moore
Ramsey

Shivers
Smith
Stone
Sulak
Van Zandt
Vick
Weinert

Absent—Excused

Spears York
Winfield

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

House Bill 544 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 544, A bill to be entitled "An Act authorizing employees of the Texas Forest Service and such additional outside help or assistance they might call on to enter on any privately owned lands for the purpose of investigating and controlling forest and grass fires that appear to be or are burning uncontrolled; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 544 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 544 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 998 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 998, A bill to be entitled "An Act authorizing the separation or divorcement of public schools from municipal control in municipal school districts entirely surrounded by a county line common school district, pursuant to an election to be held for that purpose; defining the terms 'municipal district' and the term 'governing body' of the city or town; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 998 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 998 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 956 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 956, A bill to be entitled "An Act amending Chapter 7, Title 93 of the Revised Civil Statutes of Texas, as amended, by adding a new article to be numbered Article 5708a, providing for the appointment of county sealers and deputy county sealers of weights and measures at the discretion of the commissioners' court, in any county having a population of not less than 69,000 and not more than 70,000 according to the last or any succeeding United States Census; providing that the salaries for such county sealers and deputy sealers shall be set by the commissioners' court and not to be less than \$1,500 a year; providing that no fee shall be charged by such sealers or by the county, defining the authority, duties and responsibilities of such county sealers and deputies; providing that two or more counties, or a county and a city situated therein, may combine the whole or any part of their district, for the purpose of appointing one sealer, upon the written consent of the Commissioner of Agriculture; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 956 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 956 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 887 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 887, A bill to be entitled "An Act amending Sections 2, 5 and 10 of Chapter 506, Acts 1937, Forty-fifth Legislature, page 1494-a, as amended by H. B. No. 565, Section 1, Acts 1939, Forty-sixth Legislature; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 887 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 887 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Brownlee
Beck	Chadick

Cotten	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1053 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1053, A bill to be entitled "An Act amending Section 5 of H. B. No. 194, Acts of the Forty-first Legislature, 1929, Chapter 292, by reducing the interest rate of bonds in which taxes remitted to the City of Port Arthur may be invested; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1053 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1053 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 898 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 898, A bill to be entitled "An Act amending Article 122 of the Penal Code of the Revised Statutes of 1925; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 898 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 898 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert

Nays—2

Aikin Cotten

Absent—Excused

Spears York
Winfield

House Bill 420 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 420, A bill to be entitled "An Act to regulate the sale and labeling of agricultural and vegetable seeds, in the State of Texas and defining the manner of labeling of same by seed dealers who may expose and/or offer such seed for sale, providing for the testing of such seeds for germination and other purposes; defining person, agricultural seeds, vegetable seeds, hybrid seed corn, weed seeds, noxious-weed seeds and secondary noxious-weed seeds and advertisement, setting up labeling requirements for seeds, the sale of which is regulated by this Act and defining the physical testing methods of testing such seeds; etc.; providing for the repeal of certain laws, providing a safety clause; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 420 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 420 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears York
Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 524 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 524, A bill to be entitled "An Act amending Article 3899, Revised Civil Statutes of Texas, 1925, as amended by Chapter 311, Acts of the Forty-fourth Legislature, Regular Session, and Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature; and by Chapter 498, Acts of the Forty-fifth Legislature, to provide that premium on official bonds for county treasurers, county auditors, county road commissioners, county school superintendents, and hide and animal inspectors, and their deputies, shall be paid from county funds; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 524 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 524 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Lovelady asked to be recorded as voting "nay" on the passage of the bill.

House Bill 682 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 682, A bill to be entitled "An Act providing that it shall be unlawful for any person to take, catch, ensnare, or trap any fish by any means whatsoever in any waters of any public park under the control of the Texas State Parks Board, without the consent of the keeper, caretaker, etc.; and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend H. B. No. 682, section 1, by adding after the word "waters" the following:

"which are within the confines."

The amendment was adopted.

The bill was passed to third reading.

House Bill 682 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 682 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 996 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 996, A bill to be entitled "An Act amending Section 6 of H. B. No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature, as amended by H. B. No. 373, Chapter 264, page 651, Acts of the Regular Session of the Forty-fourth Legislature, as amended by H. B. No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature, as amended by H. B. No. 626, Chapter 7, page 414 of the Acts of the Regular Session of the Forty-sixth Legislature; repealing all laws or parts of laws with reference to examination of organizations operating under H. B. No. 303, Acts of the Forty-third Legislature in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 996 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 996 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 1042 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1042, A bill to be entitled "An Act relinquishing to the City of Port Arthur, Texas, all right, to title and interest of the State of Texas in and to certain land described in H. B. No. 819, 42nd Legislature, approved May 18th, 1931, amending Section 2 of H. B. No. 819; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1042 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1042 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Chadick	Martin
Cotten	Mauritz
Fain	Metcalfe
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone

Sulak	Vick
Van Zandt	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	

Nays—1

Metcalf

Absent—Excused

Spears	York
Winfield	

House Bill 1043 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1043, A bill to be entitled "An Act granting to the City of Port Arthur, Texas, all right, title and interest of the State of Texas to certain land within said City, and lying adjacent to the Sabine-Neches Canal, and lying between said Canal and Sabine Lake, and commonly known as the Canal Spoil Bank, and granting the said City of Port Arthur right, power and authority to locate, construct, own, lease, sell and maintain upon such land facilities for air ports and other improvements, and granting the said city the right and authority to lease or sell such land and to issue franchises to others covering privileges accorded to the City of Port Arthur, and reserving all mineral rights to the State and declaring an emergency."

The bill was read second time.

Senator Shivers offered the following amendment to the bill:

Amend H. B. No. 1043, page 1, line 48, of the printed bill, by adding after the words, "Neches Canal," and before the word, "said" the following:

"commonly known as the Canal Spoil Bank is hereby granted to said City of Port Arthur for the purposes hereinafter mentioned."

The amendment was adopted.

The bill was passed to third reading.

House Bill 1043 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1043 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Beck	Lovelady
Brownlee	Martin
Chadick	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Isbell	Stone
Kelley	Van Zandt
Lanning	Weinert
Lemens	

Nays—7

Aikin	Metcalf
Cotten	Sulak
Hill	Vick
Mauritz	

Absent—Excused

Spears	York
Winfield	

House Bill 624 on Second Reading

The President laid before the Senate on its second reading and passage to third reading.

H. B. No. 624, A bill to be entitled "An Act amending Chapter 2 (H. B. No. 614) of the Act of June 2, 1939, page 346, General Laws of the Forty-sixth Legislature, to provide for uniform fees to be charged for the issuance of delayed birth and death certificates by the Probate Court, the clerk thereof and the State Registrar; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 624 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 624 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Lovelady
Beck	Martin
Chadick	Mauritz
Fain	Metcalf
Graves	Moffett
Hazlewood	Moore
Hill	Shivers
Isbell	Stone
Kelley	Van Zandt
Lanning	Vick
Lemens	

Nays—5

Brownlee	Sulak
Cotten	Weinert
Formby	

Absent

Ramsey	Smith
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Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1019 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1019, A bill to be entitled "An Act validating consolidation of certain common school districts, independent school districts and consolidated independent school districts and county line school districts, herein a majority of the voters of each of the affected districts approve such a consolidation at an election held for such purpose; providing, however, such validation shall not apply to districts now in litigation; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1019 on Third Reading

Senator Formby moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1019 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalfe
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Bill 511 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 511, A bill to be entitled "An Act amending Article 8306, Section 7, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-sixth Legislature of Texas, 1939, page 712, so as to provide for the furnishing of artificial appliances to injured claimants; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 511 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 571 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Cotten	Martin
Fain	Mauritz
Formby	Metcalfe
Graves	Moffett
Hazlewood	Moore
Hill	Ramsey
Isbell	Shivers

Smith	Van Zandt
Stone	Vick
Sulak	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lovelady	

Nays—1

Lemens

Absent—Excused

Spears	York
Winfield	

Committee Substitute House Bill 831 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

C.H.S.B. No. 831, A bill to be entitled "An Act authorizing cities having a population of one hundred and sixty thousand (160,000) inhabitants or more, according to the last preceding or any future Federal Census, to pass ordinances, criminal and otherwise, under the general police power, to promote and protect the safe and efficient operation of all publicly owned or publicly operated airports, flying fields and landing fields lying within a distance of ten (10) miles in air line from the ordinary limits of such cities, and particularly the power to limit the height of any building, structure or obstruction within three thousand (3,000) feet of the exterior limits of said airports, flying fields and landing fields; authorizing the policing of such territory; prohibiting

taxing of property in said territory; providing the Act shall not prevent extension of city limits for municipal purposes when same may be legally done; declaring this Act to be severable; providing that the terms of this Act shall not apply to territory within an incorporated city or town and authorizing such incorporated city or town to limit the height of structures; providing for recourse in the event of damage, injury, or reduction of property value under this Act; making this Act cumulative of all other applicable laws; and declaring an emergency."

The bill was read second time.

Senator Stone offered the following amendment:

Amend H. B. No. 831 by striking out the words and figures "one hundred and sixty thousand (160,000)" every place they appear in said bill and by inserting in lieu thereof the words and figures "sixty thousand (60,000)."

Amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

Committee Substitute House Bill 831 on Third Reading

Senator Martin moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 831 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

Senate Bill 453 on Final Passage

The President laid before the Senate on its final passage (the bill having heretofore been read third time):

S. B. No. 453, A bill to be entitled "An Act fixing the compensation of county officers in all counties in the State of Texas having a population of more than twenty-nine thousand two hundred and forty (29,240) and less than twenty-nine thousand three hundred and forty (29,340), according to the last preceding Federal Census; repealing all laws and parts of laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

Senator Sulak offered the following amendment to the bill:

Amend Section 1 of Senate Bill No. 453 (and the caption of said bill to conform therewith) so that said Section 1 will hereafter read as follows:

"Section 1. In all counties in the State of Texas having a population of more than Twenty-Nine Thousand Two Hundred and Forty (29,240) and less than Twenty-Nine Thousand Three Hundred and Forty (29,340), according to the last preceding Federal Census, the county judge shall receive a salary of Two Thousand Eight Hundred Dollars (\$2,800.00) per annum, the county attorney shall receive a salary of Two Thousand Seven Hundred and Fifty Dollars (\$2,750.00) per annum, the county

clerk shall receive a salary of Two Thousand Seven Hundred and Fifty Dollars (\$2,750.00) per annum, the county sheriff shall receive a salary of Three Thousand Five Hundred Dollars (\$3,500.00) per annum, the county tax assessor-collector shall receive a salary of Three Thousand Five Hundred Dollars (\$3,500.00) per annum, the county school superintendent shall receive a salary of Two Thousand Five Hundred Dollars (\$2,500.00) per annum, and the district clerk shall receive a salary of Two Thousand Four Hundred Dollars (\$2,400.00) per annum. The salary of the county school superintendent shall be payable in twelve (12) equal monthly installments out of the Available School Fund by such counties, and the salaries of each of the other named officers shall be payable in twelve (12) equal monthly installments out of the officers salary fund of such counties. The premiums on the official bond of the county treasurer shall be payable out of the officers salary fund."

The amendment was adopted unanimously.

The bill was passed by the following vote.

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

House Concurrent Resolution 116

The President laid before the Senate for consideration at this time:

H. C. R. No. 116, Granting N. D. Lenamond permission to sue the State of Texas and the State Highway Commission in Dallas County.

The resolution was read.

Senator Graves offered the following amendment to the resolution:

Amend H. C. R. No. 116 by striking out the following words from the last paragraph of such resolution:

"and that any judgment obtained therein shall be paid out of the funds of the State Highway Department." and by substituting a semi-colon for the comma after the word "cases" in the last paragraph and by adding to said last paragraph the following:

"however, it is to be understood that the purpose of this resolution is to grant permission to said N. D. Lenamond to bring suit against the State of Texas and the State Highway Commission, and no admission of liability of the State of Texas or the State Highway Commission is made by this resolution, and the facts as set out herein must be proved in court."

The amendment was adopted.

The resolution as amended was adopted.

House Concurrent Resolution 117

The President laid before the Senate for consideration at this time:

H. C. R. No. 117, Granting William Trakas permission to bring suit against the State of Texas.

The resolution was read.

Senator Graves offered the following amendment to the resolution:

Amend H. C. R. No. 117 by striking out the following words from the last paragraph of such resolution:

"and that any judgment obtained therein shall be paid out of the funds of the State Highway Department." and by substituting a semi-colon for the comma after the word "cases" in the last paragraph and by adding to said last paragraph the following:

"however, it is to be understood that the purpose of this resolution is to grant permission to said William Trakas to bring suit against the State of Texas and the State Highway Commission, and no admission of liability of the State of Texas or the State Highway Commission of the State of Texas is made by this resolution, and the facts as set out herein must be proved in court."

The amendment was adopted.

The resolution as amended was adopted.

House Concurrent Resolution 124

The President laid before the Senate for consideration at this time:

H. C. R. No. 124, Granting R. W. Dillard and wife of Ellis County, Texas, permission to bring suit against the State of Texas and against the Highway Department of the State of Texas.

The resolution was read.

Senator Moore offered the following amendment to the resolution:

Amend H. C. R. No. 124 by adding thereto the following paragraph:

"However, it is to be understood that the purpose of this resolution is to grant permission to said R. W. Dillard and wife to bring suit against the State of Texas and against the Highway Department of the State of Texas, and no admission of liability of the State of Texas or the Highway Department of the State of Texas is made by this resolution, and the facts as set out herein must be proved in court."

The amendment was adopted.

The resolution as amended was adopted.

House Concurrent Resolution 130

The President laid before the Senate for consideration at this time:

H. C. R. No. 130, Granting permission to J. Clyde Cummings to bring suit against the State of Texas and against the Department of Public Safety, Division of Highway Patrol.

The resolution was read and was adopted.

House Concurrent Resolution 133

The President laid before the Senate for consideration at this time:

H. C. R. No. 133, Granting W. L. Priddy permission to bring suit against the State of Texas.

The resolution was read.

Senator Moore offered the following amendment to the resolution:

Amend H. C. R. No. 133 by adding thereto the following paragraph:

"However, it is to be understood that the purpose of this resolution is to grant permission to said W. L. Priddy to bring suit against the State of Texas, and no admission of liability of the State of Texas is made by this resolution, and the facts

as set out herein must be proved in court."

The amendment was adopted.

The resolution as amended was adopted.

House Concurrent Resolution 209

The President laid before the Senate for consideration at this time:

H. C. R. No. 209, Granting Heiner B. McPherson of Hill County, Texas, permission to sue the State of Texas.

The resolution was read.

Senator Moore offered the following amendment to the resolution:

Amend H. C. R. No. 209 by adding thereto the following paragraph:

"However, it is to be understood that the purpose of this resolution is to grant permission to said Heiner B. McPherson to bring suit against the State of Texas and no admission of liability of the State of Texas is made by this resolution, and the facts as set out herein must be proved in court."

The amendment was adopted.

The resolution as amended was adopted.

House Concurrent Resolution 222

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of H. C. R. No. 222 at this time.

The President laid before the Senate for consideration at this time:

H. C. R. No. 222, Permitting State Treasurer to pay certain warrants.

The resolution was read and was adopted.

House Bill 86 Re-referred

On motion of Senator Van Zandt, H. B. No. 86 was re-referred from Committee on State Affairs to the Committee on Insurance.

**Motion to Reconsider Vote on
House Bill 286**

Senator Hazlewood moved to reconsider the vote by which H. B. No. 286 failed to pass notwithstanding the objections of the Governor and asked to have the motion spread upon the Journal.

Conference Committee on House Bill 963

Senator Hill called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 963.

Senator Hill moved that the request of the House be granted.

The motion prevailed.

House Bills on First Reading

The following bills received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 161, to Committee on Judicial Districts.

H. B. No. 188, to Committee on Judicial Districts.

H. B. No. 1081, to Committee on Game and Fish.

Report of Standing Committee

Senator Ramsey, by unanimous consent, submitted at this time the following report:

Austin, Texas,
June 12, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 161, A bill to be entitled "An Act amending subdivision 30 of Article 199, Revised Civil Statutes of Texas of 1925, Acts of the Thirty-ninth Legislature, page 171, Chapter 39, as amended by Acts of 1933, Forty-third Legislature, page 880, Chapter 251, and Acts 1933, Forty-third Legislature, Special Laws, page 139, Chapter 100; amending subdivision 90 of Article 199, Revised Civil Statutes of 1925, Acts of the Legislature etc.; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

House Bill 161 on Second Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 161 be placed on its second reading and

passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

The President laid H. B. No. 161 before the Senate on second reading and passage to third reading.

The bill was read second time and was passed to third reading.

House Bill 161 on Third Reading

The President then laid H. B. No. 161 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Moore
Formby	Ramsey
Graves	Shivers
Hazlewood	Smith
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert

Absent—Excused

Spears	York
Winfield	

Recess

On motion of Senator Weinert, the Senate, at 9:45 o'clock p. m., took recess to 10:00 o'clock a. m. tomorrow.